

### **IC 10-16-3**

#### **Chapter 3. State Armory Board**

### **IC 10-16-3-1**

#### **State armory board established**

Sec. 1. (a) The state armory board is established to provide, manage, and care for armories for the use of the military and naval forces of Indiana.

(b) The board consists of the following members:

(1) The following ex officio members:

(A) The governor.

(B) The adjutant general.

(2) Five (5) members appointed by the governor. At least three

(3) of the members must be or must have been officers of the military or naval forces of the United States or of the state of Indiana.

(3) The presidents of the local armory boards as provided under IC 10-16-4-3(c).

*As added by P.L.2-2003, SEC.7.*

### **IC 10-16-3-2**

#### **Contribution of funds in support of duties and responsibilities of adjutant general**

Sec. 2. The state armory board established by section 1 of this chapter may contribute funds in support of the following authorized duties and responsibilities of the adjutant general:

(1) The military department of the Indiana ceremonial unit.

(2) The Indiana guard reserve.

(3) The annual report of the adjutant general's department.

(4) The medical treatment, pensions, and funeral expenses of officers and soldiers wounded, disabled, or killed while in the active service of the state.

(5) Public relations expenditures of the adjutant general's department that are not paid by the United States Department of Defense.

(6) Recruitment and retention expenditures of the adjutant general's department that are not paid by the United States Department of Defense.

(7) The publication of the armed forces law of Indiana in accordance with IC 10-16-2-9(d).

*As added by P.L.2-2003, SEC.7.*

### **IC 10-16-3-3**

#### **Term of office; vacancy in office**

Sec. 3. (a) The term of each member of the state armory board expires four (4) years from the date of the member's appointment.

(b) If there is a vacancy in the state armory board, the governor may fill the vacancy for the unexpired term.

*As added by P.L.2-2003, SEC.7.*

#### **IC 10-16-3-4**

##### **Compensation**

Sec. 4. The members of the state armory board shall perform the duties imposed upon them by this chapter without compensation. However, the state shall pay the actual necessary expenses of the members that are incident to the performance of their duties from the appropriation made for armory purposes.

*As added by P.L.2-2003, SEC.7.*

#### **IC 10-16-3-5**

##### **Erection of armories**

Sec. 5. (a) The state armory board shall erect or provide within Indiana armories for the use of the military and naval forces of the state for drill, meeting, and rendezvous purposes by the organization of the military or naval forces occupying the armories.

(b) All property of the United States or of the state issued to the occupying organization for military or naval purposes shall be stored and safely kept in the armories.

*As added by P.L.2-2003, SEC.7.*

#### **IC 10-16-3-6**

##### **Lease or purchase of real estate; erection; occupancy and use**

Sec. 6. (a) The state armory board may:

(1) lease real estate from:

- (A) the federal, the state, or a local government; or
- (B) a federal, state, or local agency; or

(2) purchase real estate throughout the state;

where necessary to provide armories.

(b) The state armory board shall lease or purchase real estate in the name and for the use of the state. The state armory board shall erect on the real estate an armory to be used for meetings, rendezvous, and drill purposes by the following organizations:

- (1) A company.
- (2) A battery.
- (3) A troop.
- (4) A battalion.
- (5) A regiment.
- (6) A division organization.
- (7) An air squadron.
- (8) A related group.

The ordnance stores, quartermaster stores, and other property issued to an organization described in this subsection and occupying the armory shall be stored in the armory.

(c) The state armory board shall arrange for the occupancy and use of the armories under the direction and responsibility of the senior officer in command of an organization described in subsection (b).

(d) An armory may not be erected on land that is leased for less than fifty (50) years.

(e) The Indiana wing of the civil air patrol and its subordinate

units may use armory facilities without charge when the officer responsible for the armory determines the use would not interfere with operational training requirements of the military forces concerned.

*As added by P.L.2-2003, SEC.7.*

#### **IC 10-16-3-7**

##### **Board for general management; care and custody of armories**

Sec. 7. The state armory board shall constitute a board for the general management, care, and custody of the armories. The state armory board may adopt rules for:

- (1) the management and government of the armories; and
- (2) the guidance of the organizations occupying the armories.

*As added by P.L.2-2003, SEC.7.*

#### **IC 10-16-3-8**

##### **Procurement of property by state or local armory board; trust bid, proposal, or quotation**

Sec. 8. (a) This section applies if a contract for the procurement of property by the state armory board or a local armory board is awarded under this chapter by acceptance of bids, proposals, or quotations.

(b) A bid, proposal, or quotation submitted by a trust (as defined in IC 30-4-1-1(a)) must identify each:

- (1) beneficiary of the trust; and
- (2) settlor empowered to revoke or modify the trust.

*As added by P.L.2-2003, SEC.7.*

#### **IC 10-16-3-9**

##### **Donations and contributions; reconveyance of real estate to donor**

Sec. 9. (a) The state armory board may receive from any source donations of land or contributions of money to aid in providing or erecting armories throughout Indiana for the use of:

- (1) the armed forces of Indiana; and
- (2) the armed forces of Indiana called or inducted into federal service.

Property received under this subsection shall be held as other property for the use of the state.

(b) Counties, cities, and municipalities may make donations and contributions under subsection (a).

(c) This subsection applies to real estate:

- (1) donated under subsection (a); and
- (2) upon which the state of Indiana has not erected structures.

The state armory board may determine that real estate donated under subsection (a) is no longer usable or cannot be used by the military department. The state armory board may certify its determination to the adjutant general. The adjutant general may reconvey the real estate to the donor.

*As added by P.L.2-2003, SEC.7.*

### **IC 10-16-3-10**

#### **Payment of expenses**

Sec. 10. All expenses incurred in the operation of state armories shall be paid out of:

- (1) the rentals;
- (2) the income;
- (3) the earnings;
- (4) any other receipts; and
- (5) any other appropriation provided by law;

to pay the expenses incurred in the operation of the armories.

*As added by P.L.2-2003, SEC.7.*

### **IC 10-16-3-11**

#### **Contributions to promote armed forces or veterans**

Sec. 11. The state armory board may use the receipts under IC 10-16-9-3(a)(3) to make contributions to organizations that promote the public image of the national guard, the United States armed forces, or veterans of the United States armed forces. These contributions may be made for the following purposes:

- (1) Public events.
- (2) Activities on Veterans' Day, Memorial Day, the Fourth of July, and other holidays.
- (3) Monuments, plaques, or inscriptions that memorialize veterans of United States wars or military actions.
- (4) Other appropriate activities that the state armory board approves.

*As added by P.L.2-2003, SEC.7.*

### **IC 10-16-3-12**

#### **Armories; sale**

Sec. 12. (a) If the state armory board receives from the governor information of the disbandment of the organization of the armed forces of Indiana occupying and using an armory, the state armory board shall take charge of the armory.

(b) The state armory board shall sell the armory for the highest price at public or private sale after publication of the sale for a period of ten (10) days and return the proceeds into the state treasury.

*As added by P.L.2-2003, SEC.7.*

### **IC 10-16-3-13**

#### **Sale or conveyance of real property**

Sec. 13. (a) The state armory board may sell, lease, convey, or otherwise dispose of any real property belonging to the state and being under the charge and in the custody and possession of the state armory board if, in the judgment of the state armory board, the real property can no longer be used for the purpose for which it was acquired.

(b) The sale shall be made at public or private sale, after appropriate publication, for the highest price to be obtained for the same. If the state armory board takes bids in the sale of real property,

the board shall require a bid submitted by a trust (as defined in IC 30-4-1-1(a)) to identify all of the following:

- (1) Each beneficiary of the trust.
- (2) Each settlor empowered to revoke or modify the trust.
- (c) All money derived from the sale, conveyance, or other disposition of any real property shall be paid into the state treasury, but may be used for the purchase of other real property for armory purposes.

*As added by P.L.2-2003, SEC.7.*

#### **IC 10-16-3-14**

##### **Sale of real property; appraisalment**

Sec. 14. (a) If the state armory board sells, conveys, or otherwise disposes of any real property, the value of the property shall be determined by three (3) disinterested appraisers appointed by the state armory board with the approval of the governor.

(b) Real property may not be sold, conveyed, or otherwise disposed of for less than the appraised value of the real property. If the real property cannot be sold at its appraised value, it may be reappraised.

(c) Real property may not be sold, conveyed, or otherwise disposed of unless:

- (1) the governor approves the sale, conveyance, or disposition; and
- (2) the attorney general states in writing that all the conditions necessary to the legal and valid sale, conveyance, or disposition of such property have been fully complied with.

*As added by P.L.2-2003, SEC.7.*

#### **IC 10-16-3-15**

##### **Sale of real estate; execution of deed**

Sec. 15. (a) The purchaser of real property sold under this chapter or to whom real property is conveyed or otherwise disposed of under this chapter shall pay the purchase money as agreed upon and certified by the state armory board to the treasurer of state for the use and benefit of the state armory board. The purchaser shall take the receipt of the treasurer of state.

(b) The auditor of state shall execute a deed of conveyance to the purchaser after the purchaser presents the following documents to the auditor of state:

- (1) The receipt of the treasurer of state.
- (2) A certified resolution approved by the state armory board setting forth the terms and conditions of the sale, conveyance, or other disposition.

The deed of conveyance shall be signed by the governor and officially attested by the auditor of state with the seal of the state.

*As added by P.L.2-2003, SEC.7.*

#### **IC 10-16-3-16**

##### **Accounts and reports**

Sec. 16. (a) The state armory board shall report annually of the proceedings incident to the location and management of the armories and a detailed account of disbursements.

(b) The report shall be filed in the office of auditor of state and a copy furnished to the adjutant general for publication in the annual report of the adjutant general's department.

*As added by P.L.2-2003, SEC.7.*

#### **IC 10-16-3-17**

##### **State examiner; examination of transactions**

Sec. 17. The state examiner, personally or through the deputy examiners, field examiners, or private examiners, shall make a full and complete examination and report of all transactions of all individuals, persons, trustees, boards, banks, firms, corporations, and others engaged in the acquisition of sites for and the construction of state armories, including examination of the following:

- (1) The plans and specifications of armories.
- (2) Construction work performed or being performed.
- (3) The records of bonds issued and redeemed or proposed to be issued.
- (4) The records of all lease contracts for building or maintaining armories.
- (5) The records of receipts and earnings of all armories, except those earnings and receipts arising from shows, benefits, and other similar activities engaged in by members of the armories and other volunteers for the use and benefit of the members.
- (6) All money handled by the board or boards, by trustees of state armories, by the state armory board or local armory boards, or by the adjutant general, including all appropriations made for armories by the general assembly.

All powers conferred upon the state examiner, deputy examiner, field examiner, private examiner, and the attorney general under IC 5-11-6 by petition are conferred upon these officers, examiners, and the department without any petition. All the powers given these officers, examiners, and the department under any other statute may be used for the purpose of carrying out this chapter.

*As added by P.L.2-2003, SEC.7.*

#### **IC 10-16-3-18**

##### **Engineering and architectural services; compensation of field examiners**

Sec. 18. (a) The state examiner, with the approval of the governor, may employ expert engineering and architectural services when necessary to assist the state examiner, deputy examiner, field examiners, or private examiners in making inspections and examinations under this chapter.

(b) The state examiner, with the approval of the governor, shall fix and determine the amount to be paid for the expert service. Field examiners of the state board of accounts, when employed in performing the services provided for in this chapter, are entitled to

receive the per diem provided by IC 4-10-11-2 and IC 4-10-11-2.1 for field examiners and all necessary expenses incurred in carrying out their duties as provided for in this chapter.

*As added by P.L.2-2003, SEC.7.*